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PATENT AND TRADEMARK OFFICE EMPLOYEE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: D. HICKEY, et al.

Title: SORFC SYSTEM WITH NON-NOBLE METAL ELECTRODE
COMPOSITIONS

Appl. No.: Unassigned

Filing Date: 09/10/2003

Examiner: Unassigned

Art Unit: Unassigned

**TRANSMITTAL LETTER FOR
PROPRIETARY INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56 and M.P.E.P. §§ 724 and 724.02**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a Proprietary Information Disclosure Statement submitting proprietary information to the Patent and Trademark Office in accordance with the requirements of 37 C.F.R. § 1.56 and MPEP § 724. Applicants respectfully request that the information be considered only by the Examiner in charge of the above-caption application, or other authorized Patent and Trademark Office employee.

Respectfully submitted,

Date 9/10/03

FOLEY & LARDNER
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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By Harold C. Wegner
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Attorney for Applicants
Registration No. 25,258

**PROPRIETARY MATERIAL NOT OPEN TO PUBLIC.
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PATENT AND TRADEMARK OFFICE EMPLOYEE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: D. HICKEY, et al.

Title: SORFC SYSTEM WITH NON-NOBLE METAL
ELECTRODE COMPOSITIONS

Appl. No.: Unassigned

Filing Date: 09/10/2003

Examiner: Unassigned

Art Unit: Unassigned

**PROPRIETARY INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.56 AND MPEP §§ 724**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following is a listing of two documents which relate to the above-identified application and are enclosed herewith.

Documents B1 are PowerPoint Slides for a presentation titled "Co-production of hydrogen and electricity from an SOFC generator" and "High density energy storage with solid oxide regenerative fuel cells" by Ion America representative to the U.S. Department of Energy on April 9, 2003.

Documents B2 are PowerPoint Slides for a presentation titled "Co-production of hydrogen and electricity from an SOFC generator," by Ion America representative to the U.S. Department of Energy on April 17 and 18, 2003.

Applicants consider the aforementioned documents and the disclosure of their existence to constitute proprietary information. Accompanying this Proprietary Information Disclosure Statement is a transmittal letter indicating that the materials contained herein are proprietary, as required by MPEP § 724.02.

Applicants respectfully request that the Examiner consider the foregoing information and provide in the next official communication the information set forth in MPEP § 724.04(a), particularly the information under item (D). Applicants also submit herewith a petition to expunge those materials, as provided according to MPEP § 724.05.

Respectfully submitted,

Date 9/10/03

FOLEY & LARDNER
Customer Number: 22428



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Darren HICKEY, et al

Title: SORFC SYSTEM WITH NON-NOBLE METAL ELECTRODE COMPOSITIONS

Appl. No.: Unassigned

Filing Date: 09/10/2003

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 9/16/03

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	Unassigned
Date Submitted: September 10, 2003 <i>(use as many sheets as necessary)</i>				Filing Date	09/10/2003
				First Named Inventor	D. HICKEY, et al.
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	of	2	Attorney Docket Number	079173-0124

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
A1	6,280,865	B1	Eisman et al	8/28/01		
A2	6,329,090	B1	McElroy et al	12/11/01		
A3	5,741,605		Gillett et al	4/21/98		
A4	5,733,675		Dederer et al	3/31/98		
A5	5,601,937		Isenberg	2/11/97		
A6	5,573,867		Zafred et al	11/12/96		
A7	5,527,631		Singh et al	6/18/96		
A8	5,498,487		Ruka et al	3/12/96		
A9	5,441,821		Merritt et al	8/15/95		
A10	5,302,470		Okada et al	4/12/94		
A11	5,170,124		Blair et al	12/8/92		
A12	5,169,730		Reichner et al	12/8/92		
A13	5,143,800		George et al	9/1/92		
A14	5,047,299		Shockling	9/10/91		
A15	4,983,471		Reichner et al	1/8/91		
A16	4,898,792		Singh et al	2/6/90		
A17	6,403,245	B1	Hunt	6/11/02		
A18	6,013,385		DuBose	01/11/00		
A19	6,436,562	B1	DuBose	08/20/02		
A20	2002/0058175	A1	Ruhl	5/16/02		
A29	6,051,125		Pham, et al	4/18/00		
A30	4,917,971		Farooque	4/17/90		
A31	5,034,287		Kunz	7/23/91		

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office ³	Number ⁴	Kind Code ⁵ (if known)		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	A21	Cell and Stack Construction: Low-Temperature Cells, L.G. Austin, NASA SP-120, 1967			

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Date Submitted: September 10, 2003

(use as many sheets as necessary)

Sheet

2

of

2

Complete if Known

Application Number	Unassigned
Filing Date	09/10/2003
First Named Inventor	D. HICKEY, et al.
Group Art Unit	Unassigned
Examiner Name	Unassigned

Attorney Docket Number 079173-0124

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
/	A22	Low Cost, High Efficiency Reversible Fuel Cell Systems, Proceedings of the 2002 U.S. DOE Hydrogen Program Review, NREL/CP-610-32405	Y
/	A23	Low Cost Reversible Fuel Cell System, Proceedings of the 2000 U.S. DOE Hydrogen Program Review, June 15, 2000, NREL/CP-570-28890	Y
/	A24	Low Cost, Compact Solid Oxide Fuel Cell Generator, NASA Small Business Innovation Research Program	Y
/	A25	Small, Ultra Efficient Fuel Cell Systems, Advanced Technology Program ATP 2001 Competition (June 2002)	Y
/	A26	Low Cost, High Efficiency Reversible Fuel Cell (and Electrolyzer) Systems, Proceedings of the 2001 DOE Hydrogen Program Review NREL/CP-570-30535	Y
/	A27	Regenerative Fuel Cells for High Altitude Long Endurance Solar Powered Aircraft, F. Mitlitsky, et al, 28 th Intersociety Energy Conversion Engineering Conference (IECEC), 7/28/93, UCRL-JC-113485	Y
/	A28	Unitized Regenerative Fuel Cells for Solar Rechargeable Aircraft and Zero Emission Vehicles, F. Mitlitsky, et al, 1994 Fuel Cell Seminar, 9/6/94, UCRL-JC-117130	Y
/	A32	Power Generation and Steam Electrolysis Characteristics of an Electrochemical Cell with a Zirconia- or Ceria-based Electrode, K. Eguchi, et al, Solid State Ionics, 86 88 (1996) 1245-1249	Y

Examiner Signature

Date Considered

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